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## MEMORANDUM ENDORSED

February 8, 2023

Application denied. Leave from the Court is not required for counsel to issue a subpoena. See FRPC 45(a)(3). It does not appear that counsel has attempted to issue subpoenas on their own initiative. No justification has been shown here for the Court to "so-order" any subpoena. The parties are reminded that the Court set an extended discovery deadline in this case nearly four months ago and that the deadlines for completion of discovery in this case remain real deadlines, as the Court advised during the initial pretrial conference.

### Via ECF

Gregory H. Woods  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 32.

SO ORDERED.

Dated: February 8, 2023  
New York, New York

GREGORY H. WOODS  
United States District Judge

Re:: Jennifer Pratts v. Elmustafa Tarig Mohamed, et al.  
Venue : US Dist. Court, Southern Dist. of NY  
Index No. : 1:22CV06231  
Our File No. : 20993.95

Dear Judge Woods:

This office represents the defendants in the above-referenced matter.

My office has followed with plaintiff's medical providers and employer pursuant to HIPAA authorizations provided by plaintiff's counsel. However, my office has experienced delays in receiving medical records as many providers have not responded to our requests. At this time, the undersigned is requesting the Court so-order subpoenas to obtain plaintiff's medical records including and all radiology studies, from the following providers: Dr. Weinstein, Lenox Hill Radiology, Comprehensive Orthopedic, Lenox Hill Hospital, Grand Central Medicine, Dr. Gibbs, Mobile PT, Dr. Diwar and State Farm Insurance. The undersigned is also requesting the Court so-order subpoenas to obtain plaintiff's employer records from PCI Industries Corporation. Defense counsel would then immediately serve the so-ordered subpoenas.

Thank you for your attention to this matter.

Respectfully,

/s/

Julia Harvey for  
LEWIS BRISBOIS BISGAARD & SMITH LLP

JH

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CC:

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